

1 PAUL B. LACKEY, ESQ.
 2 Texas Bar No.: 00791061
 3 MICHAEL AIGEN, ESQ.
 4 Texas Bar No.: 24012196
 5 ROSS MORTILLARO, ESQ.
 6 Texas Bar No.: 24027531
 7 LACKEY HERSHMAN, LLP
 8 3102 Oak Lawn Ave., Ste. 700
 9 Dallas, Texas 75219
 10 Phone: (214) 560-2201
 11 - and -
 12 CiCi CUNNINGHAM, ESQ.
 13 Nevada Bar No.: 4960
 14 JAMES A. KOHL, ESQ.
 15 Nevada Bar No.: 5692
 16 CHRISTINE A. ROBERTS, ESQ.
 17 Nevada Bar No.: 6472
 18 RAWLINGS, OLSON, CANNON,
 19 GORMLEY & DESRUISSEAUX
 20 9950 West Cheyenne Avenue
 21 Las Vegas, NV 89129
 22 Phone: (702) 384-4012
 23 Fax: (702) 383-0701
 24 Email: bankruptcy@rocgd.com
 25 Attorneys for Creditors,
 26 Prospect High Income Fund,
 27 ML CBO IV (Cayman) Ltd.,
 28 PAMCO Cayman, Ltd.,
 29 PAM Capital Funding, L.P.,
 30 Highland Crusader Fund, Ltd.,
 31 and PCMG Trading Partners XXII, L.P.

E-FILED ON: October 4, 2006

Law Offices of
 RAWLINGS, OLSON, CANNON
 GORMLEY & DESRUISSEAUX
 A Professional Corporation
 9950 West Cheyenne Avenue
 Las Vegas, Nevada 89129
 (702) 384-4012 TELECONFER (702) 383-0701

17
**UNITED STATES BANKRUPTCY COURT
 DISTRICT OF NEVADA**

18
 In re:) CASE NO.: BK-S-06-10725-LBR
 19 USA COMMERCIAL MORTGAGE COMPANY,) CASE NO.: BK-S-06-10726-LBR
 20 Debtor.) CASE NO.: BK-S-06-10727-LBR
 21) CASE NO.: BK-S-06-10728-LBR
 22) CASE NO.: BK-S-06-10729-LBR

23
 In re:) Chapter 11
 24 USA CAPITAL REALTY ADVISORS, LLC,)
 25 Debtor.)

26
 In re:) Jointly Administered Under
 27 USA CAPITAL DIVERSIFIED TRUST DEED) Case No. BK-S-6-10725-LBR
 28 FUND, LLC,)
 29 Debtor.)

30
 In re:) **EX PARTE APPLICATION FOR**
 31 USA CAPITAL FIRST TRUST DEED FUND, LLC,) **ORDER ALLOWING**
 32 Debtor.) **OPPOSITION IN EXCESS OF**
 33) **TWENTY PAGES PURSUANT TO**
 34) **LR 9014(e)**

1 In re:)
 2 USA SECURITIES, LLC,)
 3 Debtor.)

4 Affects:)
 5 All Debtors)
 6 USA Commercial Mortgage Company)
 USA Capital Realty Advisors, LLC)
 USA Capital Diversified Trust Deed Fund, LLC)
 USA Capital First Trust Deed Fund, LLC)
 USA Securities, LLC,)

HEARING:
 Date: N/A
 Time: N/A

7

8 **EX PARTE APPLICATION FOR ORDER ALLOWING**
OPPOSITION IN EXCESS OF TWENTY PAGES PURSUANT TO LR 9014(e)
FOR FILING OF THE HIGHLAND FUND'S OPPOSITION TO DIVERSIFIED TRUST
DEED FUND COMMITTEE'S OBJECTION TO PROOF OF CLAIM

10 CiCi Cunningham, Esq. of the Law Firm of Rawlings, Olson, Cannon, Gormley &
 11 Desruisseaux, on behalf of Creditors, Prospect High Income Fund, ML CBO IV (Cayman) Ltd.,
 12 PAMCO Cayman, Ltd., PAM Capital Funding, L.P., Highland Crusader Fund, Ltd., and PCMG
 13 Trading Partners XXII, L.P. (hereinafter "The Highland Fund") represents:

14 1. Debtors filed an original Petition for Relief under Chapter 11, Title 11 of the
 15 United States Code, on or about April 13, 2006 , and an Order for Relief was entered.
 16 2. Applicant is the duly qualified and acting attorney of record for the Highland
 17 Fund.
 18 3. Applicant finds it necessary to file a Opposition to Diversified Trust Deed Fund
 19 Committee's Objection to Proof of Claim in this matter.
 20 4. Applicant's Opposition is in excess of twenty (20) pages.
 21 5. Applicant filed this Application pursuant to LR 9014(e) which states in pertinent
 22 part:
 23 (f) Limitation on Length of Briefs and Points and Authorities; Requirement for
Index and Table of Authorities.

24
 25 Unless otherwise ordered by the court, pre-hearing and post-hearing
 26 briefs and points and authorities in support of, or in response to,
 27 motions shall be limited to twenty (20) pages including the motion
 but excluding exhibits. Reply briefs and points and authorities shall
 be limited to fifteen (15) pages, excluding exhibits. Where the court
 enters an order permitting a longer brief or points and authorities, the
 papers shall include an index and table of contents.

28 //

EXHIBIT A

1 PAUL B. LACKEY, ESQ.
 2 Texas Bar No.: 00791061
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 30 Highland Crusader Fund, Ltd.,
 31 and PCMG Trading Partners XXII, L.P.

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2 USA CAPITAL FIRST TRUST DEED FUND, LLC,)
3 Debtor.)
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4 In re:)
5 USA SECURITIES, LLC,)
6 Debtor.)

6 Affects:)
7 All Debtors)
8 USA Commercial Mortgage Company)
9 USA Capital Realty Advisors, LLC)
 USA Capital Diversified Trust Deed Fund, LLC)
 USA Capital First Trust Deed Fund, LLC)
 USA Securities, LLC,)

HEARING:
Date: N/A
Time: N/A

10 **AFFIDAVIT OF CiCi CUNNINGHAM, ESQ. IN SUPPORT OF**
11 **EX PARTE APPLICATION FOR ORDER ALLOWING MOTION IN**
12 **EXCESS OF TWENTY PAGES PURSUANT TO LR 9014(e) FOR FILING OF THE**
13 **HIGHLAND FUND'S OPPOSITION TO DIVERSIFIED TRUST DEED FUND**
14 **COMMITTEE'S OBJECTION TO PROOF OF CLAIM**

15 STATE OF NEVADA)
16) ss.
17 COUNTY OF CLARK)

18 CiCi Cunningham, Esq., being first duly sworn under oath, deposes and says:

19 1. That I am duly licensed to practice before this Court and make matters upon personal
20 knowledge except for those matters which are made based upon information and belief, and as to
21 those matters, I believe the same to be true.

22 2. That I am the attorney for the Highland Fund in the above-referenced case.

23 3. That Applicant finds it necessary to file a Opposition to Diversified Trust Deed Fund
24 Committee's Objection to Proof of Claim in this matter.

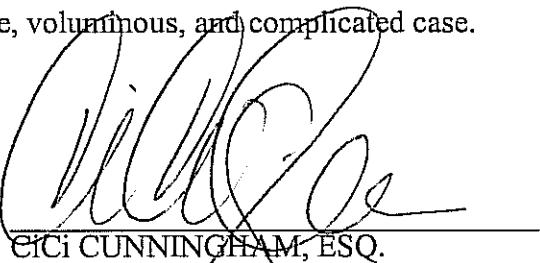
25 4. That said Opposition is in excess of twenty (20) pages.

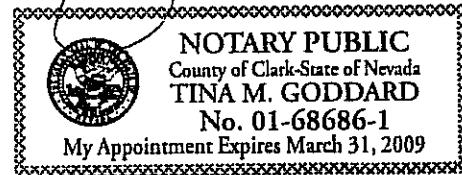
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1 5. That I request the Court allow the Highland Fund to file this Opposition in excess of
2 twenty (20) pages because this is a very large, voluminous, and complicated case.

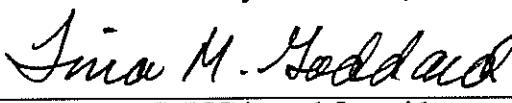
3 Further, the Affiant Sayeth Naught.

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CiCi CUNNINGHAM, ESQ.



SUBSCRIBED AND SWORN TO
before me this 4th day of October, 2006.


Tina M. Goddard
NOTARY PUBLIC in and for said
County and State.